

BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 653-8007
(916) 653-0989 FAX
Website: www.bof.fire.ca.gov



MINUTES BOARD OF FORESTRY AND FIRE PROTECTION FULL BOARD OF FORESTRY MEETING

Sacramento, CA

December 6, 2006

BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman
Kirk Marckwald, Vice Chair
Gary Rynearson
Mark Bosetti
David Nawi
Pam Giacomini
Jim Ostrowski
Bruce Saito

BOARD STAFF:

George Gentry, Executive Officer
Chris Zimny, Regulations Coordinator
Carol Horn, Executive Assistant

DEPARTMENTAL STAFF:

Ruben Grijalva, Director
Crawford Tuttle, Chief Deputy Director
Bill Snyder, Deputy Director for Resource Management
Bill Stewart, Assistant Deputy Director
Dennis Hall, Staff Chief, Forest Practice

CALL TO ORDER

Chairman Dixon called the December 6, 2006 meeting of the Board of Forestry and Fire Protection to order.

ADJOURN TO EXECUTIVE SESSION

Counsel Ashby reported that the Gualala Redwoods appeal had been dismissed.

APPROVAL OF MINUTES

Chairman Dixon said the August, September and October had already been approved, and deferred approval of the November minutes to the January meeting.

REPORT OF THE CHAIRMAN

Chairman Dixon reported on the Medal of Valor Ceremony which he attended yesterday. Chairman Dixon said it was a very impressive ceremony. Fourteen CDF employees received the award. Chairman Dixon asked for a moment of silence for Roy Richards, a friend of the Board who passed away last month.

REPORT OF THE DIRECTOR

Chief Ruben Grijalva also spoke about the Medal of Valor Awards. Fourteen CDF employees received the award along with CHP and DFG employees. Chief Grijalva met with Agency regarding the role of the Department over the next four years. A two year plan is already in place. Chief Grijalva said lessons have been learned from the Esperanza Fire. CDF needs to put more resources into arson investigations. The Esperanza Fire resulted in five counts of murder. Chief Grijalva said CDF needs to develop plans with the Forest Service to mitigate and prevent arson in California. The Green Sheet for the accident has been issued. CDF will have to decide when to defend homes and when to put gel on the structure and move on. Chief Grijalva will meet with CDF Firefighters in San Diego. Chief Grijalva said CDF will not enter into Amador Agreements with 1.0 staffing, and he eventually wants 3.0 staffing with 4.0 staffing on fires.

Member Nawi asked Chief Grijalva what the roles of CDF and the Board were in regard to JDSF. Member Nawi said the Board reviews and approves the Management Plan and is the lead agency for CEQA. Member Nawi was concerned that the Department is getting into policy issues that would be more appropriate for the Board to address.

Chief Grijalva said CDF will follow the direction of the Board. Chief Grijalva said he does not intend to develop policy, but he needs to be informed on all issues. Chief Grijalva said it is his responsibility to be informed. Chief Grijalva said it is the Boards call regarding JDSF, and he will respect the Board's authority.

Member Nawi asked Chief Grijalva to include Board Members when holding meetings with stakeholders.

Chief Grijalva said Executive Officer Gentry has rights to view his calendar and meetings, and any Board member may attend his meetings if they are available.

REPORT OF THE CALIFORNIA OAK MORTALITY TASK FORCE (COMTF)

Ms. Katie Palmieri gave update of the California Oak Mortality Task Force. There are 35 new infested sites, with the largest new site covering ten acres. A copy of the update is in the Board Binder.

REPORT OF THE ADVISORY COMMITTEES

CALIFORNIA FOREST PEST COUNCIL

No report was made.

RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)

RMAC is meeting today, and they met yesterday.

MONITORING STUDY GROUP (MSG)

The MSG has not met since the last Board meeting.

PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)

Graders met last week to finalize the exams from the October exam. PFEC will meet December 13 to verify the results and will announce the RFPs in January.

REPORT OF THE UNITED STATES FOREST SERVICE

No report was made.

CONTINUED HEARING: ROAD MANAGEMENT PLAN, 2006.

Regulations Coordinator Chris Zimny said today was the continuation of potential adoption of the Road Management Plan, 2006. The public hearing was closed at the November 8 Board Meeting. All comments received during the 15-day period and 45-day period for the Road Management Plan are in the Board Binder. Mr. Zimny said at yesterday's committee meeting Counsel Ashby had some input, and they also distributed some draft responses to comments.

Management Committee Chair Gary Ryneearson said the Committee briefly discussed the Road Management Plan yesterday. Mr. Ryneearson said the Board Members had a copy of a privileged/confidential memo from Counsel Ashby to Executive Officer Gentry. The Committee had asked Counsel Ashby to review letters from Ms. Duggan and Mr. Gaffney to determine if there had been sensitive issues raised by either of the letters in respect to the Road Management Plan. Ms. Ashby has almost completed her review of the two letters. Ms. Ashby raised the issue of necessity and clarity of the letter. Ms. Ashby said the preamble to the rule package should make it very clear that this is a voluntary rule package and it is not a requirement of the Forest Practice Rules. Member Ryneearson said the Management Committee recommended that Deputy Attorney General Ashby work with staff to resolve issues and clarify the rule package, and then move forward with a 15-day notice in January or February. The Management Committee did not have any recommended action at this time.

Member Bosetti said the public hearing had been closed on this, and he asked where the Board was going with this.

Member Ryneearson said the Management Committee recommended moving forward with a 15-day notice in January or February at the latest.

PUBLIC COMMENT:

Mr. Richard Gienger asked if a 15-day notice were issued, would the public hearing be reopened. Executive Officer Gentry said yes there would be a new hearing, with new public comments.

12-06-11: Member Ryneanson moved to redirect the package to staff and Deputy Attorney General representative to address the concerns with the clarity and necessity issue, and to issue a 15-day notice upon completion of the task for a February hearing.

Member Nawi seconded the motion. Member Nawi said if during the review between Counsel and staff, if there are issues that arise, could Member Ryneanson amend his motion that the rule be brought back to Committee.

Member Ryneanson said if issues are discovered that prevent issuance of the 15-day notice, the package be referred back to Committee to address those issues.

Member Nawi seconded the motion. All in favor of the motion.

Member Nawi asked for clarity on the Board waiving confidentiality.

UPDATE ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR JACKSON DEMONSTRATION STATE FOREST (JDSF) DRAFT MANAGEMENT PLAN.

Mr. Russ Henly, Assistant Deputy Director for Resource Management, and Mr. Bill Stewart, Assistant Deputy Director for FRAP, gave a Powerpoint presentation, entitled "A Revised Management Plan for JDSF, dated December 6, 2006. A copy of their presentation is in the Board Binder. Mr. Henly said the process had involved many different kinds of public meetings in different forums. It involved an advisory group appointed by then-Director Richard Wilson, with many public forums in terms of CEQA scoping processes, in terms of comments on proposed plans, comments on draft EIRs, in terms of various Board of Forestry Meetings on the issue. There had been a tremendous amount of public output involved in the process that has gotten the Department to where they are today.

Mr. Henly showed a map of how landscapes at Jackson have been allocated to different suites of treatments from various forms of standard, even-aged, and uneven-aged management descriptions, as well as more specific assignments of areas to riparian development areas, old growth groves, and Marbled Murrelet habitat areas. The map includes such things as Class I and II watercourse protection zones that were designated for late seral habitat. The Plan includes three designated areas for conducting research and demonstration on riparian restoration. The Plan includes a 6,500 acre zone composed of watercourse structure zone, existing low growth groves, composed of late seral forest development areas. For the most part, this area is surrounded with watersheds that are assigned uneven-aged management prescriptions. Mr. Henly said not only do we have the continuous forest cover of the old forest zone, we also have continuous forest cover connecting most of the way around it. In areas where even-aged management prescription is committed, there will be an additional 100' buffer of uneven-aged management around the forest quarter. The allocation also includes two focus demonstration areas, one on the east side and one on the west side. The Westside also includes a number of dedicated research areas, including Caspar Creek.

The nine goals for JDSF (1002, 2006) are:

1. Research and demonstration
2. Forest restoration
3. Watershed and ecological processes
4. Timber management
5. Recreation and aesthetic enjoyment
6. Information, planning, and staffing
7. Protection

8. Minor forest products
9. Property configuration

Mr. Henly said he gave Executive Officer Gentry a copy of the work CDF had done on the Management Plan. The Management Plan is largely complete with the exception of Chapter 3. The Management Plan includes:

- Executive Summary
- Chapter 1 Introduction – Purpose, Goals, Objectives
- Chapter 2 Current Condition
- Chapter 3 Desires Future Conditions and Planned Management
- Chapter 4 Research and Demonstration
- Chapter 5 Monitoring and Adaptive Management
- Appendices and Figures

Mr. Henly said CDF should have the remainder of Chapter 3 ready for review and feedback by Members Rynearson and Nawi.

The desired future conditions for JDSF are:

Late seral or old-growth	15%-25%
Older forest structure zone	10% -20%
Mature and large trees	5%-15%
Mixed age and size	30%-40%
Regeneration and pole-size younger trees	10%-20%
No specific structure assigned	0%-10%

Mr. Stewart reported that he accepted a new position in Berkeley, and next month will be his last Board meeting.

PUBLIC COMMENT

Mr. Vince Taylor, representing the Campaign to Restore Jackson Demonstration State Forest, said the presentation by Mr. Henly and Mr. Stewart was very good. Mr. Taylor said a group of people in Mendocino County formed the “Campaign to Restore Jackson Demonstration State Forest” to focus on how to restore JDSF and get it back working in 2007. Mr. Taylor looked at the principles for the Management Plan, and he is in 100% agreement with Mr. Henly’s principles. Mr. Taylor asked that the Board involve all parties and understand issues that other people are dealing with. Mr. Taylor said a route needs to be found to get JDSF back working, and to revenue needs to be found for staffing, and JDSF needs to get back to operation with buy in from major public groups. Mr. Taylor encouraged the Board to work with his group.

Member Ostrowski asked Mr. Taylor if his group supported a wide range of practices. Mr. Taylor said yes.

Mr. Richard Gienger was interested in the accelerated Road Management Plan, and asked if it would be a project on its own or would there be a CEQA process.

Ms. Kathy Bailey, representing Sierra Club and also local Mendocino resident, said she had met with a local group of people, and they have come together on issues. Ms. Bailey hopes to find a way to help the group move forward in a manner that is coherent with Mr. Stewart. Ms. Bailey wants to see JDSF back working in 2007.

Member Rynearson asked if there was an official presentation from the “New Mendocino Group”. Mr. Taylor said the official position of the group is their letter.

Mr. Mike Jani, Chief Forester for Mendocino Redwood Company, said his company’s position was clearly articulated in their letter to the Department. Mr. Jani would like input outside of CDF for proposals for percentage brackets. Mr. Jani would like to meet with CDF staff and “others”. Mr. Jani feels there is little separation between what his company laid out and what CDF had laid out.

Mr. Anderson said he represented the liberal side of Mendocino Group. Mr. Anderson would like to develop a template to help with building a new management plan. Problems between the plan presented today and their ideas of plan are more a problem communication and not substance. Mr. Anderson said the Advisory Committee is the most important part of the process, and it needs to be balanced, have meaningful purpose, and report to Board. Mr. Anderson felt the component that received too little attention is education and outreach.

Mr. Jani said the Management Plan should be framed with broad targets and then be brought down to more specificity.

Chairman Dixon said the Board will continue to hold public hearing on the issues. Chairman Dixon expressed his appreciation for the Mendocino Group’s work. Chairman Dixon said it is great when industry and environmentalists come together.

Member Nawi was not happy to hear that Mr. Taylor felt the public was not adequately involved. Member Nawi said the Board cannot have a good plan if it does not involve the public. Member Nawi felt the Management Plan would be better received if public input were involved. Member Nawi felt the Board should adopt a Management Plan which provides the advisory process for public input that they are looking for in the future. Member Nawi said if decisions were made based on an open technical process; the decisions would tend to be better received.

Member Rynearson said he agrees with Member Nawi 100%. The Board needs to certify an EIR and subsequent to that approve a Forest Management Plan. Member Rynearson saw several similarities between the Mendocino Group and what was developed by CDF, and he hates to see small issues further separate them. Member Rynearson said the key goal was research and demonstration, and wondered why their Advisory Committee did not have any researchers on it. Member Rynearson would like to have the Research Committee and Advisory Committee work closely together.

Member Nawi suggested having Mr. Henly and Mr. Stewart draft something that would basically accommodate what was heard in terms of process from the Mendocino Group, doing something hard for an interim process and then putting in an adaptive management process and build into that process a strong advisory participation and public participation. Members Nawi and Rynearson would review the draft and then they would hold a meeting with CDF and representatives from the Mendocino Group to go over what was proposed for the Management Plan and make sure that the supplemental draft EIR completely addresses everything the Board had in mind.

Mr. Henly said Member Nawi’s request was a workable process.

Chairman Dixon asked Board Members if they agreed with Member Nawi’s proposal, and they did.

UPDATE BY THE DEPARTMENTS (CDF AND DFG) ON FISH AND GAME CODE SUBSECTION 2112 REGULATIONS

DFG Chief Deputy Director John McCamman said the Department of Fish and Game had developed a set of prescriptions which would allow for incidental take permit of coho salmon in timber operations pursuant to 2112 regulations. DFG and CDF have incorporated into the proposed rules presented today procedures for implementing requirements of the California Endangered Species Act and specific forest practice prescriptions, which, in combination with the existing Forest Practice Rules and Threatened and Impaired Watershed Rules are intended to meet the issuance criteria specified in CESA. Mr. McCamman said at the direction of Resources Secretary Mike Chrisman, that approach was modified. The result was a strategy which incorporates additional measures necessary to meet CESA incidental take permit issuance criteria into the Forest Practice Rules. The regulations would cite specific sections of the Forest Practice Rules to be followed, particularly for purposes of self-certification process. In accordance with CESA, financial security must be placed with the Department when an incidental take permit is issued and the regulations include proposed procedures for that requirement. At the August 30 workshop conducted by the Board regarding the regulations, there were several stakeholders who suggested modifications and alternatives to the package proposed at that time. Some stakeholders suggested the rule be revised to minimum coho habitat. Mr. McCamman said the package presented today was revised to apply the rules to known Coho habitat, as specifically requested by the Board at its October meeting.

CDF Chief Deputy Director Crawford Tuttle said further progress has been made on the package. There were some key points that had not been previously flushed out. The current rule package allows for issuance of an incidental take permit through self-certification under circumstances where DFG and CDF determine that take may result from the implementation of the harvest plan. In instances where no such determination is made the T/I Rules will apply. The 2112 Regulations work together with the T/I Rules in establishing layers of standards depending on the level of potential take. Mr. Tuttle said the rule package provides improved definitions, which provide greater regulatory clarity and allow the departments to develop performance-based rules. This was in response to Secretary Chrisman's charge to develop a rule-making package that protects endangered species, as well as improve the clarity of the process. Mr. Tuttle said CDF had been exploring the development of a 4D Rule and/or Habitat Conservation Plan for anadromous areas statewide. Mr. Tuttle said the package does not address restorable habitat because the new rules are not applied unless take is likely; the T/I Rules would continue to apply in those areas. Mr. Tuttle asked that the Board expedite their consideration of the rule package. Mr. Tuttle said both departments stand ready to support the Board in their review process.

A letter from CDF and DFG to Chairman Dixon transmitting the draft rules and summarized the changes of the rule package was included in the Board's binder.

Mr. Duane Shintaku said the new rule package included new and modified definitions. There are rule sections within the existing T/I Rule language that had been grouped according to subject. The Class I provisions are all grouped together, the Class II provisions all grouped together, the road rule all grouped together. Some new subsections were also included. The Monitoring Adaptive Management component would allow the science to better inform the Board and to remedy the need for a sunset clause. Mr. Shintaku said the earlier adoption of the CLFA Streamlining Rule Package was also included. Mr. Shintaku said they still need one item – a section referencing watershed numbers.

Mr. Dennis Hall said in August the Board asked CDF to bring forth a package at the request of Secretary Chrisman to harmonize the existing Forest Practice Rules with a proposal by Fish and Game to address Incidental Take Permit Processing for Coho salmon. Mr. Hall said Fish and Game met with several stakeholder groups prior to bring the package to the agencies for work. There was discussion with agencies early on the proposal. The agencies, CDF, DFG, and CGS, met and worked on the package the Board saw in August. It was intended to provide an integrated approach to address any

anadromous salmonid protection statewide and harmonize the existing rules. The Board later asked the Department to add a monitoring and adaptive management piece. Mr. Hall said that the proposed rule package is a tiered package, and there were not a lot of significant changes, most changes were for clarity.

Chief Deputy Director Tuttle asked the Board to please expedite the proposed package. He said how the Board would like to proceed was up to their discretion.

Member Marckwald asked Mr. Hall to provide a matrix of changes made to the proposed rule package to the Executive Officer. Mr. Hall said he would provide the matrix.

Mr. McCamman said DFG would like to jointly submit package through the Board to avoid a CEQA review.

Mr. Hall said the landowners and the RPFs preparing and reviewing plans would know if there were coho present. DFG can, at any time, come in and not approve a plan if take is likely.

Chairman Dixon said there were many questions that need to be answered regarding the proposed package, and because of time restraints, the process needs to be expedited. Chairman Dixon suggested holding a workshop to bring together stakeholders and departments.

Member Ostrowski would like the Forest Practice Committee to pull the two processes together, and then have the workshop.

Chairman Dixon said concerns could be addressed at the workshop, and they could also receive public comment. Chairman Dixon would like to be part of the discussion, and because he is not on the FPC he prefers the workshop.

Member Nawi said a 45-day notice should be issued in January or February. Member Nawi asked if there was room on the January agenda for the 2112 regulations.

Executive Officer Gentry said the January agenda was already full.

Chairman Dixon asked for public comment.

PUBLIC COMMENT

Mr. Pete Ribar, representing Campbell Timberland Management, would prefer if the rule package was referred to Committee. He suggested taking T/I off and being Coho specific. Mr. Ribar doesn't feel this can be completed in one or two meetings. Mr. Ribar said this is a very serious issue and it will take time to work out.

Mr. Jeff Shellito, representing CALTrout, said the current THP Process is equal to an Incidental Take Permit. Mr. Shellito said the new proposal is different, it is not Coho only. Mr. Shellito felt the proposal before the Board today had significant changes from what was discussed by Secretary Chrisman to harmonize the rules. Mr. Shellito said the package needs to be Coho only, but not with take-only trigger. He said there is nothing in package to further restore coho, and the Recovery Plan is not consistent.

Ms. Kathy Bailey, representing Sierra Club, said the previous language need to be revised, she finds it upsetting. Ms. Bailey said the package doesn't meet Fish and Game's goals.

Ms. Michele Dias, representing California Forestry Association, if changes to the T/I Rules were removed CFA could support the package. Ms. Dias said not to delete the sunset clause because it would make the rules permanent. Ms. Diaz suggested sending the package back to Committee.

Ms. Jodi Frediani, representing the Sierra Club, said she was disappointed with the direction the rules had taken, and she agreed with Jeff Shellito. Ms. Frediani said T/I Rules should apply to all beneficial uses of water.

Mr. Richard Gienger agreed that a workshop or extra day should be added on to Board Meeting in January. Mr. Gienger said the section on monitoring fails to address the issues. Mr. Gienger felt DFG was trying to piggyback on CDF to save time. He said CDF needs to concede to DFG authority on take.

Member Saito said he was supportive of a special meeting or workshop.

Member Nawi said the workshop should be held before the January Board Meeting to try to get consensus on what they are trying to accomplish.

Member Ostrowski said the goal of the rules needs to be agreed upon before the full Board meeting.

Member Nawi asked if DFG were to start the CEQA process, when it would be implemented.

Mr. McCamman said it would take 18 months.

Chairman Dixon said perhaps the Board should tell Fish and Game that they are not capable of taking on this issue. Chairman Dixon said Fish and Game cannot wait for the Board to deal with this package if they cannot do it promptly.

Member Marckwald said Chairman Dixon's assessment was right but premature. Member Marckwald challenged the departments to explain issues to the Board and to come to a consensus mode. He would prefer not to give on the good work already done. Member Marckwald said it makes no sense to take a house-divided proposal to Committee, and January 5 would be a good date for a workshop.

Mr. Tuttle asked the Board to frame up key questions for CDF and DFG. He felt the issues could be resolved. Mr. Tuttle said CDF supports whatever process the Board chooses.

Member Nawi said that the rule package was the Board's responsibility and they should be in control of the package. Member Nawi said if the Board were to have a workshop on January 5, that the Executive Officer could structure the agenda on larger policy issues, not the wordsmithing issues, and he could accept suggestions from Board Members as to what the policy issues are, as well as consulting his own detailed notes about the discussion today. Member Nawi said the Executive Officer would have an agenda go out that reflected the concerns of the Board. Member Nawi said if the Board were to go forward with the package, he would like to see the Board in total control. On the 5th have a workshop to address the policy issues, and depending on that, send it to Committee for the typical Committee issues with specific direction to the Committee to policy issues.

12-06-13: Member Nawi moved to agendize a workshop for January 5th on policy issues. The Executive Officer will put together a list of issues that need not be inclusive but leaving it to the Executive Officer's discretion as to what the notice would look like and following that meeting the Board could decide to send it to Committee, or to abort the process to go forward. Member Nawi said he would leave the options open. The package will not go out for a 45-day notice before going back to Committee. Member Marckwald seconded the motion. All were in favor.

DISCUSSION OF RESPONSE TO MENDOCINO REDWOOD COMPANY LETTER ON THE PROGRAM TIMBERLAND ENVIRONMENTAL IMPACT REPORT

Member Rynearson said this agenda item was specific to the PTEIR discussion that occurred at the September meeting in Redding, to issue a letter to Mendocino Redwood Company in response to their request regarding the elements, process, and approval of PTEIRs and PTHPs. The Committee recommended not sending a specific response on what could be considered a policy matter to an individual company. Counsel Ashby sent a confidential/privileged communication memo to Executive Officer Gentry regarding Mendocino Redwood Company's request.

12-6-14: Member Rynearson made a motion that the Board to waive their confidentiality privilege to the memo and to release the memo to the public. Member Nawi seconded the motion, all were in favor.

Member Rynearson said the second agenda item was whether or not to rescind the Board's previous action. The Committee had a discussion as to the Board's further action regarding the content of the memo from counsel that had just been released. Member Rynearson said it is the Management Committee's opinion that there should be a discussion with the full Board to determine whether or not the contents of the memo should be adopted. It was the Committee's position that the content and interpretation of the regulations pertaining to PTEIRs and PTHPs be readdressed to the Director, review team agencies, and interested parties from the Board of Forestry.

Member Marckwald asked if this was to adopt the findings of Counsel Ashby's memo. Member Rynearson said only if the Board concurs with Ms. Ashby.

Member Rynearson recommended agendaizing for the January Board Meeting the request to adopt the findings or modify the content of the letter from the Deputy Attorney General Ashby. The letter would then be forwarded to Chief Grijalva, appropriate review team agencies, and members of the public.

PRESENTATION ON THE BOARD'S DRAFT POLICY STATEMENT

This agenda item was deferred to the January meeting.

PENINSULA OPEN SPACE TRUST AND SAN MATEO COUNTY PLANNING DEPARTMENT DISCUSSION OF PERMITTING FOR FUEL HAZARD REDUCTION PROJECTS

Regulations Coordinator Zimny said he received a letter from the Peninsula Open Space Trust (POST) seeking guidance on a planned fuel treatment project on their Wicklow property in San Mateo County. Mr. Zimny introduced Mr. Chris Detwiller, the Conservation Project Manager for Post. Mr. Detwiller introduced Ms. Lisa Grote, Community Development Director for San Mateo County Planning Department. Together they gave a Powerpoint presentation,

The Wicklow property contains dense stands of eucalyptus poles growing directly downhill from numerous inhabited private parcels near the town of El Granada. Mr. Detwiller said POST, CDF, Half Moon Bay Fire Protection District, local community groups and neighbors all recognize the significant wildfire risk that those stands pose to people and property. Mr. Detwiller said after consulting with CDF Felton, CGS, DFG, the Coastal Commission and the County of San Mateo it became unclear as to how to proceed with the permitting process. CDF initially maintained that the Exemption (per 14 CCR 1038)

was the most appropriate approach, but now they seem to be backing off that position. The County claims that either a Coastal Development Permit (CDP) or an NTMP would be required. The CDP option would likely take at least two years and would carry a much higher cost. The County informed POST that they would be amenable to CDF acting as lead agency on the project through the use of a NTMP, provided that the NTMP also met the requirements of a county CDP. Mr. Detwiler said they are anxious to proceed with the fuel treatments outlined in their 2005 Fuels Management Plan. They are also prepared to proceed with the development of an NTMP, provided CDF recognized the unique situation they are facing, and would assure them that such a plan would be accepted for review. POST's goals are to 1) reduce wildfire risks by reducing and thinning the eucalyptus forest; 2) repair slide and road problems to allow fire suppression access; and 3) facilitate the re-establishment of native coastal scrub, cypress, and Monterey pine stringers.

Member Ryneerson said eucalyptus does not fall under timberland, and therefore, this does not fall under the Board's authority.

Mr. Detwiler said previously they had a THP and some Monterey Pines.

Member Marckwald suggested Mr. Detwiler check with the Coastal Commission, local CDF, County Planning and POST to see if they could meet and see if this area could be considered timberland.

Chairman Dixon asked Board staff to work with Department staff to come up with recommendations to help POST with their request.

Ms. Jodie Federani, representing Sierra Club, said in reading the definition of timberland, eucalyptus is capable of producing forest products and it seems they should qualify as timberland.

STANDING COMMITTEES OF THE BOARD

Chairman Dixon asked Committee Chairs to draft their notes from the Committee and send them to the Executive Officer for distribution unless they had action items that resulted from their Committee Meeting.

FOREST PRACTICE COMMITTEE (FPC)

Member Ostrowski said the Forest Practice Committee would like the Board's concurrence to send out a letter signed by the Chair requesting experts submit their recommendations for a literature review through the TAC Group and hopefully to a contractor. Chairman Dixon concurred with Member Ostrowski's request. Member Ostrowski said letters also need to be sent to the public and LaMalfa's office informing them that the Board is embarking on reviewing the Hazardous Fuel Reduction Emergency Exemption. The draft letters are in the Board Binder and will be signed by the Executive Officer.

POLICY COMMITTEE

Member Ostrowski said the Policy Committee recommended the Board agendaize for the January Board Meeting a presentation by Mr. Pete Cafferata and possible adoption of the Monitoring Study Group Strategic Plan.

Member Ostrowski said the Committee worked through some minor edits and discussed the Board Procedure for Review of Forest Practice Rules. There will be a Policy Meeting in November to take comment from agencies and public on possible areas where the rules need to be reviewed.

01-12-17: Member Ostrowski made a motion that the Board adopt the Procedure for Review of Forest Practice Rules. Member Nawi seconded the motion. All were in favor.

PUBLIC COMMENT:

Mr. Richard Gienger, said to include both the general public and the regulated public when taking comment, he also had a couple of minor edits.

MANAGEMENT COMMITTEE

Member Ryneanson covered the Management Committee Meeting in agenda item #14 Discussion of response to Mendocino Redwood Company letter.

RESOURCE PROTECTION COMMITTEE (RPC)

Member Bosetti said the RPC had one action item – the General Plan Safety Element Reviews.

01-12-17: Member Bosetti moved to have the full Board direct staff to incorporate the comments of the Committee relative to General Plan Safety Element Reviews for the City of Anderson, Alpine County, and San Bernardino County. Member Giacomini seconded motion. All were in favor.

REPORT OF THE REGULATIONS COORDINATOR

Regulations Coordinator Chris Zimny said the Utility Exemption scheduled for January. Mr. Zimny also said effective January 1, OAL had new rules for emergency regulations. The new rules were in the Board Binder.

REPORT OF THE EXECUTIVE OFFICER

Executive Officer Gentry sent out an addendum to the agenda for two separate action items. The first action item was approval of the Board to add the agenda addition.

12-06-19: Member Nawi moved to add the agenda item. Member Ryneanson seconded the motion. All members were in favor.

Executive Officer Gentry said the agenda item added was a request to the Board of Forestry for approval of a Resolution supporting a grant from the State Coastal Conservancy for the purchase of a Conservation Easement on Valley View Ranch, a Forest Legacy Program tract.

Mr. Jeff Calvert, CDF Forest Legacy Program Coordinator, asked that the Board approve resolutions allowing CDF to accept a grant of \$1,000,000 from the State Coastal Conservancy for the purchase of a conservation easement on Valley View ranch, a tract of the Six Rivers to the Sea Forest Legacy

Program project. Mr. Calvert said CDF received a federal grant in fiscal year 2006 for the purchase of up to three of the tracts in Phase II of the "Six Rivers" project.

12-06-19: Member Marckwald moved to adopt the conservation easement resolution. Member Ryneerson seconded the motion. Member Ostrowski opposed the motion. All other members were in favor.

Executive Officer Gentry distributed to Board members an administrative file via cd that related to a THP which was denied by the Director and then appealed. A hearing will be held in January.

PUBLIC FORUM

Mr. Richard Gienger requested the Board make the memo on PTEIR public. Mr. Gienger also asked for the THP number and location of THP that was being appealed. Executive Officer Gentry said the number was 06-030HUM, Humboldt County.

NEW AND UNFINISHED BUSINESS

Member Ryneerson said he attended the "Forestry Fete Celebration" for the City of Arcata. The celebration was for the purchase of 226 acres of forest land for the City of Arcata. The purchase was made with several funding sources, including the Forest Legacy Program and Save the Redwoods League.

01-12-21: Member Nawi moved that the Board take action to waiver confidentiality of the PTEIR Memo and make it available to the public. Member Marckwald seconded the motion. All were in favor.

ADJOURNMENT

The Chairman adjourned the December 6, 2006 meeting of the Board of Forestry.

Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan Dixon
Chairman

Copies of the attendance sheets can be obtained from the Board Office.